

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

LINDA McCORMICK,

Plaintiff,

v.

Case No. 08-CV-10075

ROBERT BRZEZINSKI, et al.,

Defendants.

**ORDER GRANTING IN PART AND DENYING IN PART DEFENDANT'S "MOTION TO
DISMISS PLAINTIFF'S COMPLAINT FOR FAILING TO PROVIDE DISCOVERY"**

Pending before the court is Defendant Robert Leosh's "Motion to Dismiss Plaintiff's Complaint for Failing to Provide Discovery," filed December 17, 2008. On February 10, 2009, the court held a hearing on the matter. For the reasons stated on the record,

IT IS ORDERED that Defendant Robert Leosh's "Motion Dismiss Plaintiff's Complaint for Failing to Provide Discovery" [Dkt. # 72] is GRANTED IN PART and DENIED IN PART. It is GRANTED with respect to the request that Plaintiff appear for a deposition and is DENIED in all other respects.

IT IS FURTHER ORDERED that Plaintiff appear for a deposition, not to exceed two and one-half hours of direct examination,¹ on **February 12, 2009 at 9:00 a.m.** at Bienestock Court Reporting.

s/Robert H. Cleland

ROBERT H. CLELAND

UNITED STATES DISTRICT JUDGE

¹ This time limitation does not include objections or any breaks.

Dated: February 11, 2009

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, February 11, 2009, by electronic and/or ordinary mail.

s/Lisa G. Wagner

Case Manager and Deputy Clerk
(313) 234-5522